

EXHIBIT F

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**LEEROY M. MYERS and BARBARA C.
MYERS,**

Plaintiffs,

vs.

DITECH FINANCIAL LLC, ET AL.,

Defendants.

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CIVIL ACTION NO. 4:16-cv-1053

DECLARATION OF ROBERT D. FORSTER, II

1. My name is Robert D. Forster, II. I am of sound mind and capable of making this unsworn declaration in accordance with 28 U.S.C. § 1746. I am over the age of twenty-one (21) years and have never been convicted of a felony or crime involving dishonesty. I am fully competent to testify to the matters herein. I have personal knowledge of the facts stated herein, which are true and correct.

2. I am a Partner at Barrett Daffin Frappier Turner & Engel, LLP ("Barrett Daffin"). Barrett Daffin serves as foreclosure counsel for Ditech Financial LLC.

3. I am familiar with the standard business practices and recordkeeping systems that Barrett Daffin uses to prepare and send out default notices, notices of acceleration, notices of sale, foreclosure-related notices, and to otherwise initiate foreclosure proceedings on behalf of its clients. I have personal knowledge regarding the default servicing activities related to the Texas Home Equity Note dated March 27, 2006, in the amount of \$50,000.00 payable to Home123 Corporation (the "Note") and the Texas Home Equity Security Instrument (the "Security

Instrument”) dated March 27, 2006 (collectively, the “Loan”) relating to the real property located at 12215 Carola Forest Drive, Houston, Texas 77044 (the “Property”).

4. My duties at Barrett Daffin include, among other things, the supervision of conducting foreclosure sales and the supervision of mailing of notices of default, notices of intent to accelerate, notices of acceleration, and notices of trustee sales.

5. Ditech retained Barrett Daffin to conduct foreclosure proceedings relating to the Property. I have reviewed the business records of Barrett Daffin, including, but not limited to, the notices that Barrett Daffin provided regarding the Loan and Property.

6. On or about August 19, 2013, correspondence was sent to Leeroy M. Myers and Barbara C. Myers (“Plaintiffs”) at the Property address and a second address c/o Glenda McGuire, Attorney at 9801 Westheimer, Ste. 302, Houston Texas by certified mail (the “Rescission Notices”). The Rescission Notices notified Plaintiffs that the notice of acceleration dated October 5, 2009, and all prior notices of acceleration regarding the Loan had been rescinded. Barrett Daffin received executed Return Receipts in relation to the Rescission Notices mailed to Plaintiffs at the Property addresses. True and correct redacted copies of the Rescission Notices and Return Receipts are attached hereto as **Exhibit F-1** and are incorporated herein by reference.

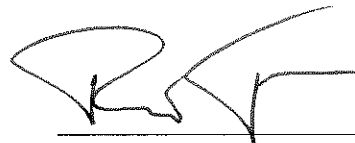
7. On or about April 23, 2014, correspondence was sent to Plaintiffs at the Property address and a second address c/o Glenda McGuire, Attorney at 9801 Westheimer, Ste. 302, Houston Texas by certified mail (the “Default Notices”). The Default Notices notified Plaintiffs that the Loan was in default, the amount required to cure the default, and that the maturity date of the Note would be accelerated if the default was not cured within thirty (30) days. True and

correct redacted copies of the Default Notices and accompanying certificate of mailing are attached hereto as **Exhibit F-2** and are incorporated herein by reference.

8. The exhibits attached hereto are (1) records kept by Barrett Daffin in the regular course of business and were made at or near the time of the acts, events, conditions and/or opinions recorded therein by an employee or representative of Barrett Daffin with knowledge of those matters; and/or (2) documents received from third parties that have been incorporated and now are part of the business records of Barrett Daffin with respect to this Loan. It was the regular business practice of Barrett Daffin for an employee or representative with knowledge of the acts, events, conditions and/or opinions recorded in these records to record or transmit the information including in these records, and/or receive and incorporate them as business records related to the Loan. The exhibits attached hereto are the originals or exact duplicates of the originals, with the exception that portions of the Loan number and/or other sensitive personal identifying information may have been redacted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, Texas, on the 17th day of April, 2017.



Robert D. Forster, II
Partner
Barrett Daffin Frappier Turner
& Engel, LLP

EXHIBIT F-1

BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

ATTORNEYS AND COUNSELORS AT LAW

PAIGE BRYANT
ASSOCIATE ATTORNEY
TEXAS FORECLOSURE GROUP

15000 SURVEYOR BOULEVARD
SUITE 100, DEPARTMENT 2018
ADDISON, TEXAS 75001
TELEPHONE: (972) 386-5040
TELECOPIER: (972) 341-5075

August 19, 2013

CERTIFIED MAIL: 7196 9008 9111 6301 5520

LEEROY M. MYERS
12215 CAROLA FOREST DR
HOUSTON, TX 77044

Re: **RESCISSION OF ACCELERATION**

Property:	12215 Carola Forest Drive, Houston, Texas 77044
BDFTE No:	20090195402256
Mortgage Servicer:	Green Tree Servicing, LLC

This law firm represents Green Tree Servicing, LLC, in its mortgage banking activities in the State of Texas. Green Tree Servicing, LLC, is the mortgagee of the Note and Deed of Trust associated with the above mentioned company.

PLEASE BE ADVISED THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

This letter is formal notice of the following:

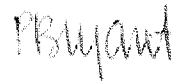
Mortgagee under the Deed of Trust referenced below hereby rescinds the notice of acceleration dated October 5, 2009 and all prior notices of acceleration. Mortgagee further agrees that Borrower may continue to pay the indebtedness due Mortgagee pursuant to the terms of the debt secured by the Deed of Trust. This Rescission of Acceleration does not waive or suspend the rights, interests or claims of Mortgagee, its successor or assigns, to accelerate and collect in the future the debt owed by Borrower. Mortgagee has appointed the undersigned as its duly authorized agent to execute this instrument on its behalf for the purposes herein stated.

Deed of Trust Date: March 27, 2006
Grantor(s) Leeroy M. Myers and Barbara C. Myers
Original Mortgagee: Home123 Corporation
Current Mortgagee: Green Tree Servicing, LLC
Mortgage Servicer: Green Tree Servicing, LLC
Recording Info: Clerk's File Number Z198524
Property County: Harris County

Legal Description:

LOT NINETEEN (19), IN BLOCK EIGHT (8), OF REPLAT OF KINGS LAKE FOREST, SECTION ONE (1), AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 279, PAGE 64 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

Sincerely,



Paige Bryant

PB/af